

CIVIL COVER SHEET

19

2569

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM)

I. (a) PLAINTIFFS

Gigi Southwood

(b) County of Residence of First Listed Plaintiff Philadelphia County
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Preeya Bansal, Esq., Murphy Law Group, LLC, 1628 John F. Kennedy Blvd., Ste. 2000, Philadelphia, PA 19103; 267-273-1054

DEFENDANTS

Ridgecrest Operating, LP d/b/a Symphony Manor of Feasterville;
Milestone Management PA-Feasterville, LLC;
County of Residence of First Listed Defendant Chester County

(IN U.S. PLAINTIFF CASES ONLY)

NOTE IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	1	1	Incorporated or Principal Place of Business in This State	4	4
Citizen of Another State	2	2	Incorporated and Principal Place of Business in Another State	5	5
Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for Nature of Suit Code Descriptions

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input checked="" type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer w/Disabilities - Employment <input type="checkbox"/> 446 Amer w/Disabilities - Other <input type="checkbox"/> 448 Education	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (specify)
☐ 6 Multidistrict Litigation - Transfer
☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity)

U.S.C. § 201, et seq., 43 P.S. § 333, et seq.

Brief description of cause

Unpaid wages and failure to accurately track hours

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions)

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

6/12/2019

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG JUDGE

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JUN 13 2019

Reset

NIQA

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

Gigi Southwood

CIVIL ACTION

v.

Milestone Management PA-Feasterville, LLC &
Ridgecrest Operating, LP d/b/a Symphony Manor

19 **2569**
NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

6/12/2019	Preeya Bansal, Esquire	Plaintiff
Date	Attorney-at-law	Attorney for
267-273-1054	215-525-0210	pbansal@phillyemploymentlawyer.com
Telephone	FAX Number	E-Mail Address

(Civ. 660) 10/02

JUN 13 2019

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 1354 Wells Street, Philadelphia, PA 19111

Address of Defendant: 201 NE Park Plaza Drive, Ste. 2015, Vancouver, VA 98684; 2 West Baltimore Avenue, Ste. 350, Media, PA 19063

Place of Accident, Incident or Transaction: 2 West Baltimore Avenue, Ste. 350, Media, PA 19063

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when **Yes** is answered to any of the following questions:

- | | | |
|--|------------------------------|--|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE 06/12/2019

Preeya Bansal
Attorney-at-Law / Pro Se Plaintiff

319359

Attorney I.D. # (if applicable)

CIVIL: (Place a ✓ in one category only)

A. Federal Question Cases:

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts
- ☐ 2. FEIA
- ☐ 3. Jones Act-Personal Injury
- ☐ 4. Antitrust
- ☐ 5. Patent
- ☐ 6. Labor-Management Relations
- ☒ 7. Civil Rights
- ☐ 8. Habeas Corpus
- ☐ 9. Securities Act(s) Cases
- ☐ 10. Social Security Review Cases
- ☐ 11. All other Federal Question Cases

(Please specify) _____ FLSA _____

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
- ☐ 2. Airplane Personal Injury
- ☐ 3. Assault, Defamation
- ☐ 4. Marine Personal Injury
- ☐ 5. Motor Vehicle Personal Injury
- ☐ 6. Other Personal Injury (Please specify) _____
- ☐ 7. Products Liability
- ☐ 8. Products Liability - Asbestos
- ☐ 9. All other Diversity Cases

(Please specify) _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, Preeya Bansal, counsel of record or pro se plaintiff, do hereby certify

☒ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs.

☐ Relief other than monetary damages is sought.

DATE 06/12/2019

Preeya Bansal
Attorney-at-Law / Pro Se Plaintiff

319359

Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38

JUN 13 2019



MURPHY LAW GROUP, LLC

DEDICATED TO PROTECTING EMPLOYEE RIGHTS

ATTORNEYS

MICHAEL MURPHY**
MICHAEL C. GROH***
BENJAMIN SALVINA**
PREEYA BANSAL**
EDMUND C. CELSIUS*
RACHEL R. STEVENS**

*(Admitted in PA)

** (Admitted in PA & NJ)

*** (Admitted in PA, NJ, & NY)

June 13, 2019

Via Hand-Delivery

Clerk of Court
United States District Court
Eastern District of Pennsylvania
U.S. Courthouse
601 Market Street, Room 2609
Philadelphia, PA 19106-1797

Re: Gigi Southwood v. Milestone Management PA- Feasterville, LLC and Ridgecrest Operating, LP d/b/a Symphony Manor of Feasterville

Dear Sir/Madam:

Enclosed, for filing with respect to the above-referenced matter, please find an original and two copies of the Plaintiff's Civil Action Complaint, a Civil Cover Sheet, and a check made payable to Clerk, United States District Court, in the amount of \$400.00. Please time stamp the extra copy of the Complaint and return to me in the self-addressed envelope I have enclosed. A PDF copy of the Complaint has been saved on the enclosed disc.

If you have any questions, please do not hesitate to contact me. Thank you for your assistance.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Preeya Bansal".

Preeya Bansal, Esq.

PB/cl

Enclosures

cc: Gigi Southwood (via electronic mail)



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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GIGI SOUTHWOOD
1354 Wells Street
Philadelphia, PA 19111

Plaintiff,

v.

MILESTONE MANAGEMENT
PA-FEASTERVILLE, LLC
201 NE Park Plaza Drive, Suite 105
Vancouver, VA 98684

and

RIDGECREST OPERATING, LP
d/b/a SYMPHONY MANOR
OF FEASTERVILLE
2 West Baltimore Avenue, Suite 350
Media, PA 19063

Defendants.

CIVIL NO. _____

JURY TRIAL DEMANDED

COMPLAINT – CIVIL ACTION

Plaintiff, Gigi Southwood (“Plaintiff”), by and through her undersigned attorney, for her Complaint against Defendants, Milestone Management PA-Feasterville, LLC and Ridgecrest Operating, LP d/b/a Symphony Manor of Feasterville (“Defendants”), alleges as follows:

INTRODUCTION

1. Plaintiff brings this Complaint contending that Defendants have improperly failed to pay her overtime compensation for all hours worked over forty (40) in a workweek, pursuant to the requirements of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201, *et seq.*, and the Pennsylvania Minimum Wage Act (“PMWA”), 43 P.S. § 333, *et seq.*

PARTIES

2. Plaintiff Gigi Southwood is a citizen of the United States and Pennsylvania, and currently maintains a residence at 1354 Wells Street, Philadelphia, PA 19111.
3. Upon information and belief, Defendant Milestone Management PA-Feasterville, LLC is a limited liability corporation organized and existing under the laws of the Commonwealth of Pennsylvania with a registered business address of 201 NE Park Plaza Drive, Suite 105, Vancouver, VA 98684.
4. Upon information and belief, Defendant Ridgecrest Operating, LP d/b/a Symphony Manor of Feasterville, is a limited partnership organized and existing under the laws of the Commonwealth of Pennsylvania with a principal place of business located at 2 West Baltimore Avenue, Suite 350, Media, PA 19063.
5. Defendants are “private employers” and covered by the FLSA.
6. Upon information and belief, Defendant Milestone Management PA-Feasterville, LLC and Defendant Ridgecrest Operating, LP d/b/a Symphony Manor of Feasterville are joint, single, and/or integrated employers with regard to their employees.
7. Plaintiff was employed by Defendants during all relevant times hereto and, as such, is an employee entitled to the FLSA’s protections. See 29 U.S.C. § 203(e).
8. At all times relevant hereto, Defendants acted or failed to act through its agents, servants, and/or employees thereto existing, each of whom acted at all times relevant thereto in the course and scope of their employment with and for Defendants.

JURISDICTION AND VENUE

9. This court has jurisdiction over this action pursuant to 29 U.S.C. § 216(b), which provides, in relevant part, that suit under the FLSA “may be maintained against any employer . . . in any Federal or State court of competent jurisdiction.” See 29 U.S.C. § 216(b).

10. This Court also has federal question jurisdiction over this action pursuant to 28 U.S.C. § 1331.

11. This Court has supplemental jurisdiction over Plaintiff’s state law claims because those claims arise out of the same nucleus of operative fact as her FLSA claims.

12. The venue in this district is proper pursuant to 28 U.S.C. § 1391(b), as the Defendants reside in this judicial district, doing business therein, and the unlawful practices of which Plaintiff is complaining were committed in the Commonwealth of Pennsylvania.

FACTUAL ALLEGATIONS

13. Paragraphs 1 through 12 are hereby incorporated by reference as though the same were fully set forth at length herein.

14. Plaintiff first began her employment with Defendants on or about November 17, 2011 in the position of Medical Technician.

15. In or around 2016, Plaintiff was promoted to Lead Medical Technician.

16. At all times material hereto, Plaintiff worked out of Defendants’ office in Feasterville, Pennsylvania.

17. Throughout her employment, Plaintiff performed her job well, receiving positive feedback and no justifiable discipline.

18. As a Lead Medical Technician, Plaintiff took on a number of different responsibilities. Plaintiff was required to wake up patients, count their narcotics, get them their drinks and snacks, give them medication, and take out the trash.

19. Additionally, Plaintiff was also the scheduler for the Memory Care Department and the Assisted Living Department's caregivers, nurses and med techs.

20. Furthermore, Plaintiff would frequently be asked to work other shifts outside of her schedule, including overnight shifts from 11:00 pm to 7:00 am.

21. By way of background, Plaintiff was routinely scheduled for twelve (12) hour shifts, five (5) days a week, with a total of sixty (60) hours worked for each work week.

22. For example, the week of September 15, 2017 through September 21, 2017, Plaintiff worked approximately sixty (60) hours, but was not fully compensated for all hours worked.

23. As a result thereof, in or around January 2018, Plaintiff made a complaint to Defendants' Executive Director, Gail Peay ("Ms. Peay"), about not being compensated for all hours worked.

24. Plaintiff was told by Ms. Peay, "your hours are being taken, but it's not by me."

25. Upon information and belief, Defendant failed to accurately track and maintain records of the hours worked by Plaintiff.

26. Plaintiff was paid on an hourly basis, and, as such, does not qualify for the exemptions for executive, administrative, or professional employees under the FLSA/PMWA.

27. Plaintiff does not perform work directly related to Defendants' management or general business operations, nor does she exercise discretion or independent judgment regarding matters of significance to Defendants.

28. Plaintiff did not have the authority to hire, fire or discipline other employees of Defendants, nor does she make recommendations with respect to employee status changes to which Defendants gives substantial weight.

29. Accordingly, Plaintiff does not qualify for the exemption for executive employees under the FLSA/PMWA.

30. Accordingly, Plaintiff is not exempt from overtime compensation pursuant to the exemption for administrative employees under the FLSA/PMWA.

31. Finally, there are not other exemptions under the FLSA and/or PMWA which could arguably be applicable to Plaintiff or Class Plaintiffs.

32. Plaintiff was within the meaning of the FLSA and PMWA, a non-exempt employee of Defendants and therefore entitled to compensation for all hours works, including overtime compensation for all hours worked over forty (40) in a workweek.

33. As a result of Defendants' aforesaid illegal actions, Plaintiff has suffered damages.

COUNT I
FAIR LABOR STANDARDS ACT
29 U.S.C § 211, et seq.
FAILURE TO PAY FOR ALL HOURS WORKED AND TO ACCURATELY TRACK
AND MAINTAIN RECORDS OF THE HOURS

34. Paragraphs 1 through 34 are hereby incorporated by reference as though the same were fully set forth at length herein.

35. Pursuant to Section 206(b) of the FLSA, all employees must be compensated for every hour worked in a workweek.

36. Moreover, Section 207(a)(1) of the FLSA states that employees must be paid overtime, equal to 1.5 times the employee's regular rate of pay, for all hours worked in excess of forty (40) hours per week.

37. Furthermore, pursuant to Section 211(c), an employer must accurately track and maintain records of the hours that their employees work; however, Defendants failed to do so.

38. Moreover, Plaintiff was not compensated for all hours worked each workweek.

39. The foregoing actions of Defendants and the policies and practices of Defendants violate the FLSA.

40. Defendants' actions were willful, not in good faith and in reckless disregard of clearly applicable FLSA provisions.

41. Defendants are liable to Plaintiff for actual damages, liquidated damages, and other equitable relief, pursuant to 29 U.S.C. § 216(b), as well as reasonable attorney's fees, costs, and expenses.

WHEREFORE, as a result of the unlawful conduct of the Defendants, Plaintiff respectfully requests that this Court enter judgment in her favor and against Defendants and grant the maximum relief allowed by law, including, but not limited to:

A. Adjudicating and declaring that Defendants violated the FLSA by failing to pay compensation and/or overtime pay to Plaintiff for all compensable hours worked, some of which were in excess of forty (40) hours per week;

B. Awarding Plaintiff back pay wages and/or overtime wages in an amount consistent with the FLSA;

C. Awarding Plaintiff liquidated damages in accordance with the FLSA;

- D. Awarding Plaintiff reasonable attorney's fees and all costs of this action, to be paid by Defendants, in accordance with the FLSA;
- E. Awarding pre- and post-judgment interest and court costs as further allowed by law;
- F. Such other and further relief as is just and equitable under the circumstances.

COUNT II
PENNSYLVANIA MINIMUM WAGE ACT OF 1968
43 P.S. § 333, et seq.
FAILURE TO PAY FOR ALL HOURS WORKED AND TO ACCURATELY TRACK
AND MAINTAIN RECORDS OF THE HOURS

42. Paragraphs 1 through 42 are hereby incorporated by reference as though the same were fully set forth at length herein.
43. The Pennsylvania Minimum Wage Act provides that employers must pay certain accurately track and maintain records of the hours worked. See 43 P.S. § 333.108.
44. By its actions alleged above, Defendants have violated the provisions of the Pennsylvania Minimum Wage Act of 1968 by failing to accurately track and maintain records of the hours Plaintiff worked.
45. Accordingly, Defendant failed to pay employees for every compensable hour Plaintiff worked each work week.
46. As a result of Defendants' unlawful acts, Plaintiff has been deprived of straight time and overtime compensation in amounts to be determined at trial, and is entitled to recovery of such amounts, together with interest, costs and attorney's fees pursuant to the Pennsylvania Minimum Wage Act of 1968, 43 P.S. § 333.113.

WHEREFORE, as a result of the unlawful conduct of the Defendants, Plaintiff respectfully requests that this Court enter judgment in her favor and against Defendants and grant the maximum relief allowed by law, including, but not limited to:

- A. An award to Plaintiff for the amount of unpaid compensation for all hours work to which she is entitled, including interest thereon, and penalties subject to proof;
- B. An award to Plaintiff of reasonable attorney's fees and costs pursuant to the Pennsylvania Minimum Wage Act; and
- C. An award to Plaintiff for any other damages available to her under applicable Pennsylvania law, and all such other relief as this Court may deem proper.


JURY DEMAND

Plaintiff hereby demands a trial by jury as to all issues so triable.

Respectfully submitted,

MURPHY LAW GROUP, LLC

By:



Preeti Bansal, Esq.
Eight Penn Center, Suite 2000
1628 John F. Kennedy Blvd.
Philadelphia, PA 19103
TEL: 267-273-1054
FAX: 215-525-0210
pbansal@phillyemploymentlawyer.com
Attorneys for Plaintiff

Dated: 6/12/2019

DEMAND TO PRESERVE EVIDENCE

The Defendant is hereby demanded to preserve all physical and electronic information pertaining in any way to Plaintiff's employment, to her potential claims and her claims to damages, to any defenses to same, including, but not limited to electronic data storage, employment files, files, memos, job descriptions, text messages, e-mails, spreadsheets, images, cache memory, payroll records, paystubs, time records, timesheets, and any other information and/or data which may be relevant to any claim or defense in this litigation.